

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PETROBRAS SECURITIES LITIGATION

This Document Applies to:

Dimensional Emerging Markets Value Fund, et al. v. Petróleo Brasileiro S.A. – Petrobras, No. 15-cv-2165 (JSR)

No. 14-cv-9662 (JSR)

Skagen, et al. v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-2214 (JSR)

New York City Employees’ Retirement System, et al. v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-2192 (JSR)

Transamerica Income Shares, Inc., et al. v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-3733 (JSR)

Aberdeen Emerging Markets Fund, et al. v. Petróleo Brasileiro S.A. – Petrobras, No. 15-cv-3860 (JSR)

Ohio Public Employees Retirement System v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-3887 (JSR)

Central States Southeast and Southwest Areas Pension Fund v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-3911 (JSR)

Washington State Investment Board v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-3923 (JSR)

Aberdeen Latin American Income Fund Limited, et al. v. Petróleo Brasileiro S.A. – Petrobras, No. 15-cv-4043 (JSR)

NN Investment Partners B.V., et al. v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-4226 (JSR)

Aura Capital Ltd. v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-4951 (JSR)

CERTAIN DEFENDANTS’ NOTICE OF MOTION TO DISMISS
THE INDIVIDUAL ACTION COMPLAINTS

PLEASE TAKE NOTICE that, upon Defendants’ Joint Memorandum of Law in Support

of their Motion to Dismiss the Individual Action Complaints (the “Memorandum”) filed by the Moving Defendants,¹ the Declaration of Jared Gerber, dated August 21, 2015, together with the exhibits attached thereto, the Declaration of Scott D. Musoff, dated August 21, 2015, together with the exhibits attached thereto, as well as all the prior pleadings and proceedings in In re Petrobras Securities Litigation, No. 14-cv-9662 (JSR) and the above-referenced individual actions (the “Individual Actions”), the undersigned will move this Court before the Honorable Jed S. Rakoff, United States District Judge at the United States Courthouse located at 500 Pearl Street, New York, New York, 10007, on October 13, 2015, at 3:30 p.m., or at such other date and time determined by the Court, for an order pursuant to Rules 8, 9(b), 12(b)(1), 12(b)(6) and, with respect to Bank of China (Hong Kong) Limited in Skagen, et. al. v. Petróleo Brasileiro S.A. – Petrobras, et al., No. 15-cv-2214 (JSR), Rule 12(b)(5) of the Federal Rules of Civil Procedure granting the Moving Defendants’ motion to dismiss the Individual Actions with prejudice, and for such other and further relief as this Court may deem just and proper.

The Individual Actions assert claims against certain additional defendants, but, to the Moving Defendants’ knowledge, none have been served with process, and none have appeared in these actions.

As set forth in the Order Coordinating Pre-Trial Matters, ECF No. 195, plaintiffs in the Individual Actions shall file any opposition to this motion by September 18, 2015, and the Moving Defendants shall file any reply by October 5, 2015.

¹ The “Moving Defendants” for the purposes of this motion are Petróleo Brasileiro S.A. – Petrobras, Petrobras Global Finance B.V., Theodore M. Helms, Banca IMI S.p.A., Banco Bradesco BBI S.A., Bank of China (Hong Kong) Limited, BB Securities Ltd., Citigroup Global Markets Inc., HSBC Securities (USA) Inc., Itau BBA USA Securities, Inc., J.P. Morgan Securities LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Mitsubishi UFJ Securities (USA), Inc., Morgan Stanley & Co. LLC, Scotia Capital (USA) Inc. and Standard Chartered Bank.

Dated: August 21, 2015
New York, New York

CLEARY GOTTLIEB STEEN &
HAMILTON LLP

By: /s/ Mitchell A. Lowenthal

Mitchell A. Lowenthal
Roger A. Cooper
Elizabeth Vicens

One Liberty Plaza
New York, New York 10006
(212) 225-2000

Attorneys for Defendants Petróleo Brasileiro S.A. – Petrobras, Petrobras Global Finance B.V., Theodore M. Helms

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

By: /s/ Jay B. Kasner

Jay B. Kasner
Scott D. Musoff

4 Times Square
New York, New York 10036
(212) 735-3000

Attorneys for Defendants Banca IMI S.p.A., Banco Bradesco BBI S.A., Bank of China (Hong Kong) Limited, BB Securities Ltd., Citigroup Global Markets Inc., HSBC Securities (USA) Inc., Itau BBA USA Securities, Inc., J.P. Morgan Securities LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Mitsubishi UFJ Securities (USA), Inc., Morgan Stanley & Co. LLC, Scotia Capital (USA) Inc. and Standard Chartered Bank